



Town of Groton, Connecticut

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Meeting Minutes

Town Council

Mayor Harry A. Watson, Councilors Peter J. Bartinik, Jr., Natalie Burfoot Billing, Heather Sherman Bond, Catherine Kolnaski, Frank O'Beirne, Jr., Paulann H. Sheets, Thomas J. Skrmetti, and Elissa T. Wright.

Tuesday, October 19, 2004

7:30 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

Mayor Harry Watson called the meeting to order at 7:30 p.m.

Mayor Watson noted that Councilor Bond is unable to attend due to business.

I. ROLL CALL

Members Present: Mayor Watson, Councilor Bartinik, Jr., Councilor Billing, Councilor Kolnaski, Councilor O'Beirne, Jr., Councilor Sheets, Councilor Skrmetti and Councilor Wright

Members Absent: Councilor Bond

Also present were Town Manager Mark Oefinger, Assistant to the Town Manager Lee Vincent, Public Works Director Gary Schneider, Ledge Light Health District Director Sam Crowley and Assistant Director Steve Mansfield, Town Clerk Barbara Tarbox, and Deputy Town Clerk Janet Downs.

II. SALUTE TO THE FLAG

The Salute to the Flag was led by Ledge Light Health District Director Sam Crowley.

III. RECOGNITION, AWARDS & MEMORIALS

Mayor Watson read a certificate of appreciation presented to the taxpayers of Groton by the Military/Superintendents' Liaison Committee of Southeastern Connecticut in recognition of service to children in Groton Public Schools. Both Mayor Watson and Councilor Kolnaski attended the program on October 7, 2004 at the Coast Guard Academy at which the certificate was presented.

2004-0286 Proclamation Recognizing the Woman of the Year - Mistick River Business and Professional Women Inc.

Read

The proclamation was read by Councilor Billing. (Proclamation is attached.)

PUBLIC HEARING

Recess for Public Hearing on:

2004-0280 Public Hearing to Consider Alterations to Sandy Hollow Road - Scenic Road

Mayor Watson called a recess at 7:34 for a Public Hearing on Alterations to Sandy Hollow Road.

Public Works Director Gary Schneider described the installation of asphalt curbing to prevent flooding that has been occurring on a residential property.

No members of the public wished to speak on this item.

Mayor Watson declared the Public Hearing closed at 7:36 p.m.

IV. CITIZENS' PETITIONS, COMMENTS AND CONCERNS

Ledge Light Health District Director Sam Crowley, 8 Palmer Court, Noank, updated the Councilors on the shortage of flu vaccine. Ledge Light is following the guidelines of the CDC and the State Health Department to meet the needs of the region.

Ledge Light Assistant Director and Emergency Response Coordinator Steve Mansfield, 279 Elm Street, outlined steps that have been taken, including a survey of health providers and distribution

of a public education brochure. The phone number and web site of the Health District were announced for the public's convenience.

Jack Sebastian, 43 East Shore Avenue, Groton Long Point, a member of the RTM, asked for an independent efficiency study of the Public Works Department. He noted that he suggested such a study several years ago. He described areas in the Town's budget that he feels are excessive or wasteful. He also cited the need for outside assistance in negotiating labor contracts. Mr. Sebastian believes that the Council should take steps now to assist overburdened taxpayers.

Millage Small, 191 Prospect Hill Road, asked for a report on a study that contends that the Town needs fewer vehicles than the 270 it now owns.

Genevieve Cerf, 17 Crescent Street, Groton Long Point, a member of the RTM and Treasurer of the Groton Open Space Association, asked the Council to help save the Watrous property on Noank-Ledyard Road and distributed informational packets to the Councilors. Ms. Cerf noted that the Watrous property is home to rare plant and animal species. It also contains two Class A streams as well as Pre-Columbian Native American sites. She warned against destroying the environment, noting that Groton is "headed toward full build-out." After reviewing the history of the property, Ms. Cerf defended GOSA's position and achievements and asked the Council to use this opportunity to become more pro-active in the conservation of open space by saving this property.

V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS

Councilor Sheets thanked Ms. Cerf for her comments and concern, noting that the Conservation Commission and the Planning Commission are working on a plan to save this property.

Responding to Mr. Sebastian's comments, Councilor Skrmetti noted that there has been discussion of efficiency studies by the Council and that Mr. Sebastian's concerns have not been ignored. Town Manager Oefinger described three studies that are nearing completion: the Shennecossett Golf Course Study, the Ambulance Response Study, and the Fleet Management Study.

Councilor Skrmetti noted that the referral on the Watrous property is being kept open, adding that there is litigation pending with the developer and no action can be taken until resolution is reached.

Rep. Billing cited the \$75,000 budgeted for the three studies mentioned by Mr. Oefinger and asked how much has actually been spent.

The Town Manager responded that close to \$75,000 has been spent, but that money was found elsewhere in the budget. The \$75,000 that was appropriated was spent on studies related to the school referendum. Mr. Oefinger added that a survey was taken to determine what studies the Council would prefer.

Councilor Billing noted that she did not recall money being appropriated for a study of Public Works two years ago as claimed by Mr. Sebastian. She added that the Town Manager was also unable to recall any such appropriation, but he did cite the \$75,000 for the three studies mentioned.

Councilor Billing also responded to Mr. Sebastian's comment about excessive street-sweeping, noting that the Stormwater II program requires sweeping every street twice a year. She also responded to Mr. Sebastian's charge that Town departments are "top-heavy" with supervisors by noting that many supervisors are also workers whose duties include activities other than supervision.

Councilor Billing asked Ms. Cerf for additional information on the Watrous property, and called it "somewhat unfortunate" that the last Council decided not to act on this issue, but added that fiscal and other factors at the time must be considered.

Councilor Skrmetti pointed out that developers also have rights, and that the process must be seen

through to the end. He added that the Council has tried to make decisions that were fair to all parties involved.

VI. CONSENT CALENDAR

a. Approval of Minutes

Councilor Wright requested a change to the minutes of October 5, 2004, to reflect the fact that she noted that she is in receipt of correspondence from Stuart Reininger of West Mystic regarding tying up a small boat at the Town dock in Noank.

The Town Clerk responded that the minutes will be reviewed and changes made as appropriate.

2004-0303 Approval of Minutes (Town Council)

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council of October 5, 2004 are hereby accepted and approved.

This Matter was Adopted on the Consent Calendar.

b. Deletions from the Town Council Referral List

2004-0292 Parent Child Center Grant

This Matter was Deleted from Referral List - No further action on the Consent Calendar.

2004-0122 Recognition of Military Troops

This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.

2004-0291 Groton Education Foundation Grant for Intergenerational Program

This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.

2004-0294 New Terms for Ledge Light Health District Board Members

This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.

2004-0281 Groton Community Events Fund

This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.

2004-0289 Reauthorization of Funding and Authorization of Additional Funding for Wastewater Treatment Plant Upgrade

This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.

2004-0301 Appointment of Sylvia Manza to the Housing Authority

This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.

2004-0302 Appointment of Russell Sergeant to Zoning Commission

This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.

c. Special Trust Fund Contributions

2004-0296 Special Trust Fund Contributions

RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS

RESOLVED, that the Town Council hereby accepts contributions to the Town as follows:

Sunshine Chorus - \$25.00 - Senior Center Discretionary

Tap Dancers - \$25.00 - Senior Center Discretionary

This Matter was Adopted on the Consent Calendar.

Passed The Consent Calendar

A motion was made by Councilor Bartinik, Jr., seconded by Councilor Billing, to adopt the Consent Calendar, including all the preceding items marked as having been adopted on the Consent Calendar.

The motion carried unanimously.

VII. COMMUNICATION REPORTS (Other than Committee Reports)**a. Town Councilors**

Councilor Sheets received the communication from Jack Sebastian. She also received correspondence from Charles Moppett about his communication with the DEP and his intention to come before the Council on this matter. She attended last week's RTM meeting and participated in the budget discussion; she also attended the change of command at the Nautilus Museum.

Councilor Billing attended the CCM convention and would recommend it to other Councilors. She described the program, including a meeting with legislative leaders at which municipalities were told not to expect much from the State in the way of property tax relief or aid in the next budget.

Rep. Skrmetti attended the RTM meeting for budget discussion. He also attended the meeting of the Tercentennial Committee on October 18, 2004. Councilor Skrmetti described the committee's activities and asked for support. He displayed the emblem adopted for the 300th anniversary.

Councilor Bartnik received the e-mail from Jack Sebastian and another from Councilor Skrmetti regarding discussions with the Board of Education.

Councilor Wright received a response from Captain Kelly Fogg to Stuart Reininger about whether small boats are allowed to tie up at the Town dock at the foot of Main Street. She has researched this issue and stated that under Parks & Recreation regulations, properly registered and insured small recreational boats may tie up at the Town docks on Main Street in Noank and Water Street in Mystic for up to four hours during daylight hours.

Councilor Kolnaski attended the RTM meeting on October 13, 2004 and the meeting of the Military/Superintendents' Liaison Committee of Southeastern Connecticut on October 7, 2004. She also attended the Ledge Light Health District meeting on October 14, 2004.

At Councilor Kolnaski's request, Mayor Watson made the following referral:

2004-0308**Alcohol Possession By Minors**

This matter was Referred to the Town Council Education/Health & Social Services Committee. The motion carried.

Councilor Kolnaski would like consideration given to passage of an ordinance to address this problem.

Mayor Watson also received the e-mail from Jack Sebastian. He went to Groton Heights School where the voting process was demonstrated to fifth-graders. He spoke to fourth-graders at Noank School about local government. The Mayor attended the breakfast of the Military/Superintendents' Liaison Committee held on October 7, 2004 and a forum on "Community Conversation Early Care and Education" on October 14, 2004. He also attended the open house for the new Family Support Center on Litton Avenue on October 15, 2004 and a meeting of United Action for Eastern Connecticut on October 17, 2004. In addition, the Mayor attended the following meetings: Mystic Co-Op Task Force on October 18, 2004; Shellfish Task Force on October 18, 2004; and Representative Town Meeting on October 13, 2004.

b. Representative Town Meeting

Town Clerk Tarbox reported that the RTM met last week and will meet again in November. There was no veto on the NRZ Ordinance, and preliminary budget discussion was held with the Council.

c. Clerk of the Council

Ms. Tarbox reported that by tomorrow, the Town Clerk's office will have issued over one thousand absentee ballots. Many citizens are eager to vote. The office will be open on Saturday October 30 from 9:00 a.m. to 1:00 p.m. for absentee ballots. Presidential ballots are available to non-registered Groton residents who provide identification. Since the deadline for registration has

passed, this is now the only way to vote for President for those who are not registered. The Town Clerk's office will be closed on election day for all but election-related activity.

Responding to Councilor Wright's question, the Town Clerk and the Mayor confirmed that registration is still available to persons turning eighteen before November 2.

d. Town Manager

Mr. Oefinger announced that the Big Y will hold its grand opening on October 21, 2004 at 10:30 a.m. The Poquonnock Bridge Fire District Consolidation meeting is tentatively scheduled for October 25, 2004 at 7:00 p.m. at the Town Hall Annex. The Martin Luther King Jr. Scholarship Dinner will be held on October 28, 2004 at the Mystic Marriott. The next Town Council meeting will be held on Wednesday November 3, 2004 due to the election. Prior to this meeting, a packet of three letters regarding the privatization of Navy Housing was distributed to the Councilors.

Mr. Vincent met with the Legislative Committee of the CCM earlier today. There was discussion of a local-option hotel tax, which Mr. Vincent will be actively promoting. The CCM is strongly supporting legislation to make the augmented conveyance tax permanent. The committee will also be looking into forcing the DEP to come up with a statewide solid waste management plan.

Councilor Skrmetti noted that the Tercentennial Committee would like to present an update at the Committee of the Whole Meeting on November 9, 2004.

Councilor Billing reported that in the meeting with legislators at the CCM conference, there was support for extending the augmented conveyance tax, but there was concern that a local-option hotel tax could increase pressure on communities for commercial development.

Mr. Vincent added that at this point, he is encouraged by increased awareness among legislators that Connecticut's towns need new options for raising revenues.

e. Town Attorney

Town Clerk Tarbox noted that a communication was received from the Town Attorney last week.

VIII. COMMITTEE REPORTS

a. Community & Cultural Development - Chairman Billing

Chairman Billing read the minutes of the meeting held on October 12, 2004 which are on file in the Town Clerk's office.

b. Economic Development - Chairman Bond

No report.

c. Education/Health & Social Services - Chairman Kolnaski

No report.

d. Environment & Recreation - Chairman Sheets

Chairman Sheets read the minutes of the meeting held on October 12, 2004 which are on file in the Town Clerk's office.

Councilor Sheets added that both Councilor O'Beirne's and Councilor Billing's suggestions have been incorporated into the draft of the Resolution Establishing the Open Space Fund and the draft has been circulated to the committee members. It will be taken up at the next meeting and a recommendation will be made to the Council.

e. Finance - Chairman Wright

Chairman Wright read the minutes of the meeting held on October 12, 2004 which are on file in the Town Clerk's office.

At the request of Councilor Wright, Mayor Watson made the following referral:

2004-0307

Authorization for Town Manager to Act on Grant Applications

This matter was Referred to the Town Council Committee of the Whole. The motion carried.

This referral would explore the possibility of authorizing the Town Manager to act on departmental requests (without Council approval) for approval of grant applications under a certain threshold (amount to be determined) that do not require local matching funds.

f. Personnel/Appointments/Rules - Chairman O'Beirne

Chairman O'Beirne read the minutes of the meeting held on October 12, 2004 which are on file in the Town Clerk's office.

g. Public Safety - Chairman Skrmetti

No meeting; no report.

h. Public Works - Chairman Bartinik

No meeting; no report.

i. Committee of the Whole - Mayor Watson

The Mayor reported that there are two referrals on this agenda that were discussed in Committee of the Whole: the transfer of funds to the Community Events Fund and the reauthorization of funding for the water treatment plant. The COW met with the RTM on October 13, 2004.

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

2004-0122 Recognition of Military Troops

RESOLUTION OF SUPPORT FOR GROTON'S SPECIAL RECOGNITION OF MILITARY TROOPS

WHEREAS, on July 10, 2004, a packaging event was held at Fitch High School, where a large number of volunteers sorted donated care package items and packed more than 180 boxes that were mailed to troops overseas, and

WHEREAS, by early January, following the winter holidays, donations of all kinds typically decline, and therefore the Town Manager's Office would like to accept donations for another mailing event to be held at the end of January, 2005, now therefore be it

RESOLVED, that the Town Council expresses its appreciation for the awesome work and initiative of Nicki Bresnyan, Executive Assistant in the Office of the Town Manager, for organizing and managing the massive donation project during the spring and summer of this year, and be it

FURTHER RESOLVED, that the Town Council expresses great pride, admiration and gratitude for the multitude of donors who contributed goods and money and for the multitude of volunteers who helped sort and pack the donations for shipment overseas, and be it

FURTHER RESOLVED, that the Town Council endorses and supports the next military assistance effort and urges citizens to be ready for further detailed announcements as we approach January, 2005.

A motion was made by Councilor Billing, seconded by Councilor Kolnaski, that this matter be Adopted.

The motion carried unanimously.

2004-0291 Groton Education Foundation Grant for Intergenerational Program

RESOLUTION APPROVING AN APPLICATION FOR A GRANT FROM THE GROTON EDUCATION FOUNDATION

WHEREAS, the Groton Education Foundation provides grants for seed money to advance projects based on ideas from teachers and other educators, and

WHEREAS, the Groton Senior Center and the Claude Chester Elementary School have engaged in intergenerational educational experiences for students and seniors, now therefore be it

RESOLVED, that the Town Manager may apply for a grant of \$800 from the Groton Education Foundation for an intergenerational program titled "For a Greener Groton" to increase awareness of local ecology and a clean community environment.

A motion was made by Councilor Wright, seconded by Councilor Kolnaski, that this matter be Adopted.

The motion carried unanimously.

2004-0294

New Terms for Ledge Light Health District Board Members

RESOLUTION REAPPOINTING MEMBERS OF THE LEDGE LIGHT HEALTH DISTRICT BOARD

WHEREAS, the Town of Groton has re-established staggered three-year terms for the Town's appointees to the Ledge Light Health District, and

WHEREAS, it is necessary to appoint or reappoint board members to terms of differing lengths in order to establish a staggered schedule of future term expirations, and

WHEREAS, all current terms expire on November 10, 2004, now therefore be it

RESOLVED, that the following reappointments shall be effective as of November 10, 2004:

For a term expiring 11/10/05, Dr. Howard Root

For terms expiring 11/10/06, Jackie Massett and Dr. Steven B. Carlow

For a term expiring 11/10/07, Catherine Kolnaski

A motion was made by Councilor O'Beirne, Jr., seconded by Councilor Skrmetti, that this matter be Adopted.

The motion carried unanimously.

2004-0281

Groton Community Events Fund

RESOLUTION TRANSFERRING AND APPROPRIATING FUNDS FOR THE GROTON COMMUNITY EVENTS FUND

WHEREAS, the Town of Groton needs to provide start-up money for the Groton Tercentennial Celebration, and

WHEREAS, there is currently a fund balance of \$18,000 from previous appropriations to the Community Events Fund, now therefore be it

RESOLVED, that the amount of \$43,000 is hereby appropriated to be spent from the Community Events Fund, and be it

FURTHER RESOLVED, that the amount of \$25,000 is hereby transferred from General Contingency (Function 1074) to the Groton Community Events Fund (10774).

Refer to RTM.

A motion was made by Councilor Skrmetti, seconded by Councilor O'Beirne, Jr., that this matter be Adopted and Referred to the Representative Town Meeting, due back on December 8, 2004.

The motion carried unanimously.

2004-0289

Reauthorization of Funding and Authorization of Additional Funding for Wastewater

Treatment Plant Upgrade

RESOLUTION APPROVING ADDITIONAL APPROPRIATION AND EXTENDING APPROPRIATION FOR ADDITIONS AND IMPROVEMENTS TO THE WATER POLLUTION CONTROL AUTHORITY FACILITY.

WHEREAS, the Town of Groton (the "Town") approved Ordinance No. 233 at referendum on November 5, 1996, which appropriated \$10,388,000 and authorized borrowing in the same amount for additions and improvements to the Water Pollution Control Facility; and

WHEREAS, the Town approved Ordinance No. 242 at referendum on May 23, 2000, which appropriated an additional \$5,112,000 for the project and included in the project facilities to remove nitrogen from the wastewater and authorized borrowing in the same amount, for an aggregate appropriation and borrowing authorization of \$15,500,000;

WHEREAS, Section 8.4.5 of the Charter provides that any appropriation for construction or other permanent improvement which has not been completely expended at the end of five years from the date thereof shall thereupon lapse;

WHEREAS, the Town Manager has reported that the additions and improvements to the Water Pollution Control Facility for which said appropriation was made cannot reasonably be completed, and the entire amount of said appropriation cannot be expended by the end of five years from the effective date of the last appropriating ordinance and has recommended that said appropriation be extended by reappropriating that portion of the \$15,500,000 which has not been expended on the effective date of this resolution;

WHEREAS, the Director of Finance has certified that whatever portion of said appropriation is extended may be financed by grants and Town general obligation bonds previously approved;

WHEREAS, the Town Manager has recommended that the Town approve an additional appropriation of \$2,000,000 for the Water Pollution Control Facility project to be funded from a State grant, and the Director of Finance has certified that the State grant funds will be applied to fund the additional appropriation;

WHEREAS, the State has authorized in Section 40 of Public Act No. 04-1, May 2004 Special Session, an additional grant in the amount of \$2,000,000 for the Town's Water Pollution Control Facility additions and improvements; and

WHEREAS, it is in the best interests of the Town to continue the Town's Water Pollution Control Facility additions and improvements.

NOW, THEREFORE, BE IT RESOLVED:

(a) That any portion of said \$15,500,000 appropriation which has not been expended on the effective date of this resolution shall be extended and reappropriated, provided that the total amount expended as of the effective date of this resolution, pursuant to said appropriation under Ordinance No. 233 and Ordinance No. 242, plus the portion which is reappropriated shall not exceed \$15,500,000; and

(b) That the appropriation and reappropriation for the Water Pollution Control Facility project approved in Ordinance Nos. 233 and 242 be increased by an additional \$2,000,000 for an aggregate appropriation of \$17,500,000, that said increase be funded from the State grant authorized by Public Act No. 04-1, and that said grants authorized by Public Act No. 04-1 be applied to fund said additional appropriation and not to reduce the \$15,500,000 borrowing authorization for the project.

Refer to RTM

A motion was made by Councilor Bartinik, Jr., seconded by Councilor Kolnaski, that this matter be Adopted and Referred to the Representative Town Meeting, due back on December 8, 2004.

Town Manager Oefinger explained that this item consists of two parts. The first is authorization for the increase of \$2,000,000 which is a State grant. The second is the extension of the original \$15,500,000 because the project will not be completed by the expiration of the original appropriation.

Councilors Skrmetti and Billing clarified that the delay and increased cost is not the fault of the Town, but is due to difficulties in negotiations with the State.

Councilor Sheets added that the upgrade will take the nitrogen out of the effluent that is being discharged in the Thames River, which will benefit Long Island Sound.

The motion carried unanimously.

2004-0301 Appointment of Sylvia Manza to the Housing Authority

RESOLUTION APPOINTING SYLVIA MANZA TO THE HOUSING AUTHORITY

RESOLVED, that Sylvia C. Manza, 67 Governor's Circle, is appointed to the Housing Authority for a term ending 7/31/09.

A motion was made by Councilor O'Beirne, Jr., seconded by Councilor Kolnaski, that this matter be Adopted.

The motion carried unanimously.

2004-0302 Appointment of Russell Sergeant to Zoning Commission

RESOLUTION APPOINTING RUSSELL SERGEANT AS AN ALTERNATE MEMBER OF THE ZONING COMMISSION

RESOLVED, that Russell E. Sergeant, 3B Rowland Street, Mystic, is appointed as an alternate member of the Zoning Commission for a term ending 9/30/07.

A motion was made by Councilor O'Beirne, Jr., seconded by Councilor Sheets, that this matter be Adopted.

The motion carried unanimously.

XI. OTHER BUSINESS

None.

XII. ADJOURNMENT

A motion to adjourn at 9:10 p.m. was made by Councilor O'Beirne, seconded by Councilor Kolnaski and so voted unanimously.

Attest:

*Barbara Tarbox, Town Clerk
Clerk of the Council*

Janet L. Downs, Deputy Town Clerk